

Memorandum

To: Chair and Commissioners

Date: September 15, 2003

From: Diane C. Eidam
Executive Director

File No: Agenda Item 2.2c.(12)
Action Item

Ref: Approval of Project for Future Consideration of Funding – BART Fremont to Warm Springs Extension (TCRP #1) (Final Supplemental EIR). Resolution E-03-33

Issue: Should the Commission approve the San Francisco Bay Area Rapid Transit (BART) District's Fremont to Warm Springs Extension Final Supplemental Environmental Impact Report by adopting the attached resolution to approve future consideration of funding for a 2-station, 5.4-mile extension of the BART system from Fremont to Warm Springs in Alameda County?

Recommendation: Commission staff recommends that the Commission, as a responsible agency, approve the attached Resolution E-03-____, including a statement of over-riding considerations. As a responsible agency, the Commission must approve this Resolution prior to allocating funds for capital purposes on the proposed project.

Background: This resolution proposes to approve for future consideration of funding the following project for which a Final Supplemental EIR has been completed under the California Environmental Quality Act (CEQA):

- San Francisco Bay Area Rapid Transit Project (Project) – a 2-station, 5.4-mile extension of the BART system between Fremont and Warm Springs in Alameda County.

Significant and Unavoidable Impacts: In the approving the Final Supplemental EIR, BART identified the following significant and unavoidable impacts, which are part of its Mitigation Monitoring and Reporting Plan:

1. Biological impacts with the cumulative loss of grassland and the loss of habitat for the burrowing owl.
2. Aesthetic impacts to the visual aesthetics with construction of soundwalls to reduce noise impacts from the BART extension. Temporary visual impacts will also occur from the construction of the extension on the Fremont Central Park area.
3. Traffic impacts will occur with the addition of the optional Irvington station in that the capacity to traffic volume and level of service at Osgood Road/Durham Road/Auto Mall Parkway and at the intersection of Mission Boulevard/Warm Springs Boulevard around the proposed station will be at unacceptable levels. Traffic level of service would also deteriorate on northbound I-880, south of the Irvington station at Mission Boulevard.
4. Vibration impact will occur with the operation of the project and may affect up to 134 residences.
5. Electricity demand of the project during operation will significantly impact peak- and base-period electrical transmission system capacity.
6. Geological fault could involve potential damage to the rail and stations and injury to patrons.
7. Increased populations densities could occur because of the project, which could expose people and structures to seismic hazards.

Finding of Overriding Considerations: BART has approved a Final Supplemental EIR for an extension of the BART system from Fremont to Warm Springs (Project). In approving the Final Supplemental EIR, the BART Board of Directors found that unavoidable significant effects are acceptable because of the following overriding considerations:

- The Project will represent the culmination of over 25 years of study, which has documented the desirability of and need for improved access to the BART system from the South Bay.
- The Project will improve public transportation service to the South Bay, thereby increasing mobility. The Project is projected to markedly increase BART ridership from Santa Clara County. Increasing transit ridership responds to several objectives, including relieving congestion on the freeway network and providing quick and convenient transportation for individuals who do not have automobiles or who do not drive.
- The Project will fulfill legislative and voter mandates supporting construction of the Project. Senate Bill 1715 (1988) directed BART to commence construction of the extension to Warm Springs, subject to funding and environmental approvals. Measure B, a transportation-dedicated sales tax revenues approved by the voters of Alameda County in 2000, provides sales tax revenue to fund a BART extension to southern Fremont.
- The Project will fulfill the mandates of regional planning agencies. The Project is included in both the Metropolitan Transportation Commission's regional transit expansion policy and regional transportation plan, which list the Project as a Tier 1 priority project.
- The Project will reduce the number of auto trips on the local and regional roadway network.
 - The reduction in vehicle miles traveled due to increased use of BART will result in substantial overall energy savings.
 - The reduction in vehicle miles traveled resulting from the Project will support regional air quality plans to meet state and federal air quality standards. It will also offer air quality benefits by leading to a substantial reduction in regional emissions, including ozone precursor, toxic air contaminants, greenhouse gas emissions, and particulate matter (PM 10) emission from mobile sources. The Project is identified as part of Transportation Control Measure #6 in the State Implementation Plan for air quality.
- The Project will provide the opportunity for future extension of BART service into Santa Clara County, further enhancing the regional network. The Project will facilitate further expansion opportunities, either by connection to the Silicon Valley Rapid Transit Corridor (SVRTC) project that is currently being evaluated by Santa Clara Valley Transportation Authority, or by future transit expansion projects, if the SVRTC project is not adopted.
- The Project will offer opportunities for transit-oriented development (TOD) near the Warm Springs and optional Irvington stations. The Warm Springs and optional Irvington stations are designed to accommodate future TOD both on- and off- site. TOD supports efficient and desirable growth patterns that encourage the use of transit in place of auto trips. BART's policies, including its Strategic Plan and System Expansion Criteria, encourage intensification of land use surrounding BART facilities to enhance opportunities and ridership. Development of the station sites consistent with local land use policies will maximize user community benefits from transportation investments.

Although land use intensifications surrounding the Warm Springs and optional Irvington Stations is not part of the Project, land use intensifications through TOD and access planning surrounding the station sites will be addressed through a comprehensive community-based process to be undertaken by the City of Fremont in coordination with BART and other stakeholders. To the extent that the Project encourages TOD, a beneficial effect would result from maximizing opportunities to foster “smart growth” in the vicinity of the stations sites.

- The proposed Warm Springs and optional Irvington Stations are designed as intermodal transit hubs, providing locations where rail, bus, bicycle, pedestrian, and automobile links will meet. This intermodal design improves the convenience of the system and facilitates mode switches during trips for those without automobiles, including the disabled and elderly. The Project will offer riders on the BART system the benefit of continuous service with minimal additional transfers between Alameda, Contra Costa, San Francisco, and San Mateo Counties.
- The Project will serve projected long-term population and job growth and subsequent commuting needs in an area currently lacking rail transit services.
- The Project will support the City of Fremont’s land use and redevelopment goals. The Fremont General Plan specifically reserves a transit corridor for the Project and designates the area surrounding the Warm Springs Station site as the Warm Springs BART Specific Plan Area. The city is in the process of commencing the Warm Springs Specific Plan. The General Plan Housing Element also references rail TOD opportunities associated with the Project. In addition, in anticipation of the Project, the city has prepared the draft Irvington Concept Plan to provide the basis for a redevelopment plan amendment specifically fostering higher densities related to rail transit.

The current estimate in 2001 dollars for the project is \$634 million, of which \$111 million is proposed through the Governor’s Traffic Congestion Relief (TCR) Program for Project #1. The remaining \$523 million will come from \$350 million in committed and proposed local funds, \$68 million in bridge toll funds, and \$105 million in State Transportation Improvement Program/ Regional Transportation Improvement Program funding sources.

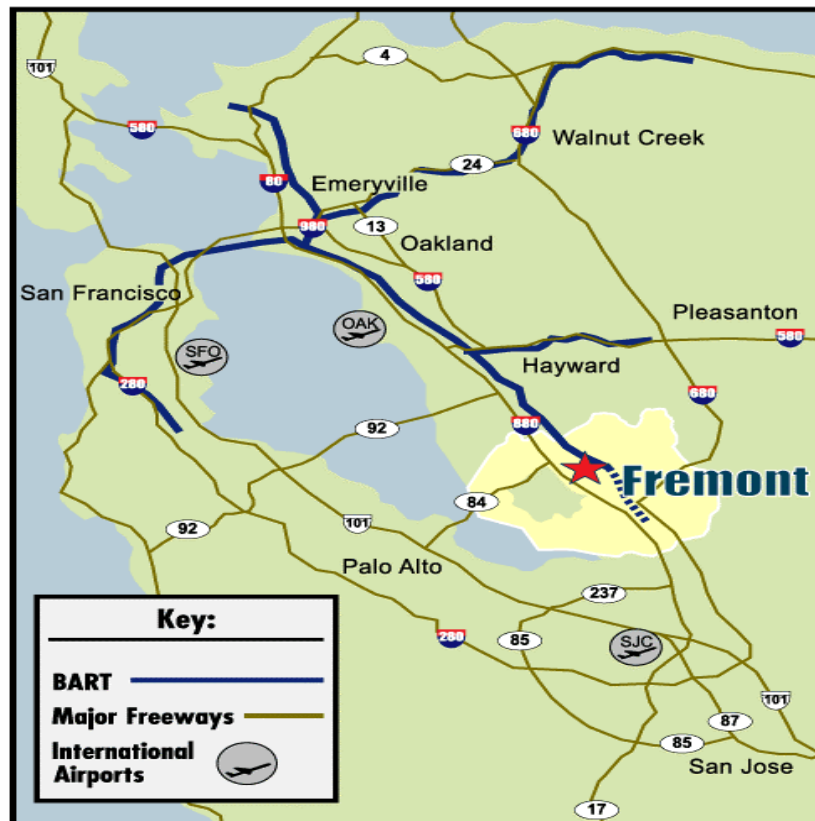
The Final Supplemental EIR has been transmitted to Commission staff. The Commission's approval and the resulting filing of the Notice of Determination with the Office of Planning and Research will satisfy the environmental requirements for this stage of the project planning process.

Attachment

BART FREMONT TO WARM SPRINGS EXTENSION Project Location



Area Location



CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Approval of Project for Consideration of Future Funding For the San Francisco Bay Area Rapid Transit Project To Extend BART Between Fremont to Warm Springs In Alameda County

Resolution E-03-33

- 1.1 WHEREAS**, San Francisco Bay Area Rapid Transit (BART) District has completed a Final Supplemental Environmental Impact Report in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the California Transportation Commission Environmental Regulations for the following project:
- San Francisco Bay Area Rapid Transit Project (Project) – a 2-station, 5.4-mile extension of the BART system between Fremont and Warm Springs in Alameda County.
- 1.2 WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Final Supplemental Environmental Impact Report; and
- 1.3 WHEREAS**, the project will have a significant and unavoidable impact on the environment; and
- 1.4 WHEREAS**, in the approving the Final Supplemental EIR, BART identified the following significant and unavoidable impacts that are part of its Mitigation Monitoring and Reporting Plan:
1. Biological impacts with the cumulative loss of grassland and the loss of habitat for the burrowing owl.
 2. Aesthetic impacts to the visual aesthetics with construction of soundwalls to reduce noise impacts from the BART extension. Temporary visual impacts will also occur from the construction of the extension on the Fremont Central Park area.
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1.5 WHEREAS, the Commission finds unavoidable significant environmental impacts will occur and finds that those impacts are acceptable due to the over-riding considerations described below:

- The Project will represent the culmination of over 25 years of study, which has documented the desirability of and need for improved access to the BART system from the South Bay.
- The Project will improve public transportation service to the South Bay, thereby increasing mobility. The Project is projected to markedly increase BART ridership from Santa Clara County. Increasing transit ridership responds to several objectives, including relieving congestion on the freeway network and providing quick and convenient transportation for individuals who do not have automobiles or who do not drive.
- The Project will fulfill legislative and voter mandates supporting construction of the Project. Senate Bill 1715 (1988) directed BART to commence construction of the extension to Warm Springs, subject to funding and environmental approvals. Measure B, a transportation-dedicated sales tax revenues approved by the voters of Alameda County in 2000, provides sales tax revenue to fund a BART extension to southern Fremont.
- The Project will fulfill the mandates of regional planning agencies. The Project is included in both the Metropolitan Transportation Commission's regional transit expansion policy and regional transportation plan, which list the Project as a Tier 1 priority project.
- The Project will reduce the number of auto trips on the local and regional roadway network.
 - The reduction in vehicle miles traveled due to increased use of BART will result in substantial overall energy savings.
 - The reduction in vehicle miles traveled resulting from the Project will support regional air quality plans to meet state and federal air quality standards. It will also offer air quality benefits by leading to a substantial reduction in regional emissions, including ozone precursor, toxic air contaminants, greenhouse gas emissions, and particulate matter (PM 10) emission from mobile sources. The Project is identified as part of Transportation Control Measure #6 in the State Implementation Plan for air quality.
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Although land use intensifications surrounding the Warm Springs and optional Irvington Stations is not part of the Project, land use intensifications through TOD and access planning surrounding the station sites will be addressed through a comprehensive community-based process to be undertaken by the City of Fremont in coordination with BART and other stakeholders. To the extent that the Project encourages TOD, a beneficial effect would result from maximizing opportunities to foster "smart growth" in the vicinity of the stations sites.

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2.1 NOW, THEREFORE, BE IT RESOLVED that the Commission, as a responsible agency, finds that the:

- project will result in significant and unavoidable impacts;
- unavoidable significant impacts are acceptable because of the overriding considerations discussed previously in Paragraph 1.5; and
- San Francisco Bay Area Rapid Transit Project – a 2-station, 5.4-mile extension of the BART system between Fremont and Warm Springs in Alameda County is approved for future consideration of funding.